IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

WP(C).No. 18489 of 2007(A)

PETITIONER:

P.K.JANET, PD TEACHER AND TRAINER,
BLOCK RESOURCE CENTRE,
MUVATTUPUZHA.

BY ADV. SRI.DINESH R.SHENOY

RESPONDENTS:

1. THE STATE PROJECT DIRECTOR (SSA),
O/O THE STATE PROJECT OFFICER,
SARVA SHIKSHA ABHIYAN, NEAR NANDAVANAM,
THIRUVANANTHAPURAM.

2. DISTRICT PROJECT OFFICER,
O/O DISTRICT PROJECT OFFICER, (SSA),
KARAKKATT BUILDING, CHITTOOR ROAD,
COCHIN - 11.

3. THE BLOCK RESOURCE OFFICER,
BLOCK RESOURCE CENTRE,
NEAR TOWN UPS, VELLOORKUNNAM,
MUVATTUPUZHA.

BY GOVERNMENT PLEADER SRI.P. NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) No. 18489 of 2007-A

Dated this the 20th day of June, 2007.

J U D G M E N T

The petitioner, who is a PD Teacher, under the Department of General Education, was appointed as BRC Trainer, at North Paravur, Ernakulam, under the Sarva Shiksha Abhiyan Scheme. Her initial appointment was in 2004, for a period of one year, subject to usual terms and conditions. It appears, the same was extended from time to time. While so, the first respondent has passed Ext.P2 order dated 7-6-2007, directing to revert the petitioner from the post of Trainer, BRC, Muvattupuzha, to the parent department. Based on that, the petitioner has been relieved by the District Project Officer, by Ext.P1 order. The petitioner attacks, those orders, on various grounds, including personal inconveniences caused to her, as a result of the reversion ordered, after the commencement of the academic year. I called for the records leading to the issuance of Exts.P1 and P2. A perusal of the same would show that certain allegations were raised against her, by one of her colleagues. She, in turn, raised certain allegations against the said colleague also. An enquiry was held into those allegations. Based on the finding in that enquiry, Ext.P2 order

was passed. The petitioner denies all the allegations against her and would point out that the findings in the enquiry are untenable, and arrived at behind her back and the same should not have been made, the basis for her reversion.

2. I heard the learned Government Pleader for the respondents also. The petitioner cannot claim any absolute right to continue in the deputed post. No valid grounds have been given for reversion, it is submitted. Whether valid grounds have been given or not is a disputed question, which cannot be adjudicated by this Court, under Article 226 of the Constitution of India. Therefore, if the petitioner is aggrieved by her reversion, she may move the first respondent or the Government, as the case may be. In that event, the representation filed by the petitioner will be considered and disposed of as expeditiously as possible, by the competent authority. The contentions of the petitioner are kept open.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR,
JUDGE.

MS